

Suspect strategy

This page is from APP, the official source of professional practice for policing.

First published 16 September 2015 Updated 30 March 2026

The suspect strategy outlines the approach to managing suspects in domestic abuse investigations, from arrest through to post-release. It emphasises the need for timely and proportionate action to:

- safeguard victims
- preserve evidence
- manage risk effectively

Officers should ensure that decisions around the following are made in line with investigative priorities and victim safety considerations:

- arrest
- detention
- interview
- charging
- bail
- post-release management

A consistent, evidence-led approach should be adopted, recognising that victim withdrawal or reluctance to support prosecution does not diminish the need to pursue justice or protect those at risk. Officers should also be aware of the principles set out in the [CPS domestic abuse legal guidance](#). This guidance provides further context on evidential considerations and the wider approach to domestic abuse cases.

Collaboration between investigators, custody officers, the CPS and partner agencies is essential to ensure that suspect handling decisions contribute to both offender accountability and the prevention of further harm.

Arrest

When an offence has been committed in a domestic abuse case, officers should arrest the suspect. Arrest will normally be necessary under the [Police and Criminal Evidence Act 1984 \(PACE\)](#) to:

- protect victims, children or vulnerable people
- prevent future harm or damage
- allow for a prompt and effective investigation

Officers should consider arrest under [PACE Code G](#), when there are reasonable grounds to believe that it is necessary to prevent a suspect from:

- intimidating witnesses
- contacting the victim
- destroying evidence

The decision to arrest lies with the attending officer or investigating officer. Officers should not ask victims whether they wish for an arrest to be made. Each decision must be based on professional judgement and recorded clearly, including reasons for not arresting where a power of arrest exists.

Officers should not base arrest decisions on the victim's willingness to support prosecution. Officers should focus on securing evidence to support an [evidence-led prosecution](#). Officers should use the [Joint NPCC and CPS evidence gathering checklist for domestic abuse cases](#) and ensure that all reasonable lines of enquiry are pursued.

Only cases that meet the [Full Code Text](#) should later be referred to the CPS. First responders should focus on building an evidential base without prejudging charging decisions. A well-evidenced arrest increases the likelihood of a successful outcome. Arresting a suspect may:

- create space for the victim to feel safe and engage with police and support services
- interrupt patterns of controlling or coercive behaviour
- allow time to develop further enquiries, such as checks with neighbours, social services or medical professionals
- enable the collection of biometric evidence (DNA, fingerprints)
- allow the imposition of bail conditions to safeguard the victim
- send a clear message that abuse will not be tolerated and that the victim is being taken seriously

Dual arrest

Officers should avoid dual arrest, especially when children are present. Officers should carry out a full investigation to understand the context and identify the [primary perpetrator](#).

Officers should only arrest both parties if there is clear evidence that each has committed an offence and if public order or safety cannot otherwise be maintained. Dual arrests should be exceptional.

Dual arrests complicate prosecutions and can undermine victim confidence. Arresting both parties can:

- weaken the prosecution case due to disclosure issues
- reduce the likelihood of victim engagement
- prevent the victim's interview being used as evidence without a separate witness statement

Where counter allegations arise, officers should investigate each report separately. If more than one arrest occurs, officers should complete separate domestic abuse incident reports and cross-reference them. All counter-allegations and dual arrests should be recorded and included in the case file for CPS review.

If a counter-allegation is made later, officers should assess it using the same [primary-perpetrator principles](#) and local policy.

For further information, go to:

- [Determining the primary perpetrator and managing counter-allegations](#)
- [CPS guidance on domestic abuse](#)

Use of bail conditions

Bail conditions are a key safeguarding measure following arrest. If the suspect is not charged or remanded, the custody officer should consider bail conditions to protect the victim and others. For further information, go to [making bail decisions](#).

Officers must inform victims of the suspect's release as soon as possible. This should be before the release and must be within one working day, in line with the [Victims' Code](#).

Bail conditions should be supported by a clear action plan. Local policing teams should be notified of domestic abuse offences, bail conditions and any [domestic violence protection notices and orders \(DVPNs and DVPOs\)](#) to ensure that breaches are promptly identified and acted upon.

Custody plan

When a suspect is detained for a domestic abuse-related offence, custody officers and investigating officers should ensure that specific domestic abuse considerations are included in the custody plan. The plan should prioritise the safety of the victim, any children and staff, while supporting an effective investigation.

Officers should follow the principles and processes set out in the [Checklist: Custody plan](#) and in the APP on [detention and custody](#).

Including suspect information in the risk assessment process

The investigating officer and custody officer should ensure that all relevant information about the suspect is shared with those responsible for completing the victim risk assessment.

[Risk identification and assessment](#) should not rely on information from the victim. Officers should include:

- observations of the suspect's behaviour, attitude or comments while in custody or during interview
- any indications of escalation, threats or continuing intent to harm
- relevant intelligence or background information, including previous incidents, known triggers or protective order breaches
- details from previous risk assessments involving the suspect

For further information, go to:

- APP on [detention and custody risk assessment](#)

Suspect interviewing

In domestic abuse cases, the suspect might be expecting the victim to withdraw their evidence. Where other evidence exists, it may be central to proving the case, bringing appropriate charges and inducing a guilty plea.

For further information, go to:

- [APP on investigative interviewing](#)

Supervisors should ensure that all officers conducting suspect interviews are appropriately trained in accordance with [APP on investigative interviewing](#). Depending on the seriousness or complexity of any alleged offences, supervisors should consider appointing a trained interview adviser to assist in the investigation.

Interviewing should be carried out in accordance with the [PEACE model](#) and should apply the [seven principles](#) of investigative interviewing. Additional specific considerations also apply when interviewing in domestic abuse cases.

Interview plans should explore the full context of the relationship, not just the incident. Officers should seek to establish:

- the status of the relationship and any separation issues
- previous incidents of abuse or coercive behaviour
- the suspect's relationships with family members and children
- history of violence or aggression towards others
- the suspect's intentions regarding future contact with the victim

The information that is gathered should inform:

- bail decisions
- CPS charging decisions
- the ongoing risk assessment

Interviewers should remain professional and non-judgemental. When suspects attempt to minimise their behaviour, officers should challenge inconsistencies and present contradictory evidence. Counter-allegations should be fully explored to prevent later fabrication. Any relevant bad character information should be introduced appropriately during questioning.

Handling sensitive information

Officers must take extreme care not to disclose sensitive information that could compromise the safety of the victim or witnesses. Details of refuge addresses, safe accommodation or personal information, such as medical records, must never be shared with the suspect or their legal adviser. Supervisors should ensure all officers understand these obligations.

Legal advisers and pre-interview briefings

When briefing legal representatives before an interview, interviewing officers may inform them of the existence of photographic or other key evidence. They should plan when and how that evidence will be disclosed during the interview itself.

For further information, go to:

- APP on [working with legal advisers](#)

Using photographic evidence

Photographic evidence should be made available to the interviewing officer for pre-interview planning. Officers should allow the suspect to provide an initial account before showing photographs, unless disclosure earlier in the interview is strategically necessary. If the interview occurs several days after the incident, interviewing officers should use more recent photographs to show the development of injuries. Officers should securely store all physical photographs in clear evidence bags.

Use of interpreters

When interpreters are required, officers must use those registered on the National Register of Public Service Interpreters. Interpreters should act impartially and disclose any conflict of interest.

For further information, go to:

- [Criminal investigations: Use of interpreters guidance](#)

Supervisors should be responsible for arranging interpreters, ensuring their suitability and monitoring compliance with professional standards. For further information, see Checklist:

Considerations when using interpreters in domestic abuse cases.

Spotlight on coercive or controlling behaviour

Understanding the nature of the relationship and whether controlling or coercive behaviour is taking place requires questioning beyond individual incidents.

Investigators may consider approaches to questioning that ask the suspect the following.

- How they feel about the victim. This may elicit statements about anger and control.
- How decisions are made in the relationship. This may lead the suspect to discuss control of money or other resources and other inequality in decision making. This is a key component of controlling or coercive behaviour.
- How disagreements are resolved. A controlling or coercive perpetrator may struggle to answer this because there are no disagreements or they always end in violence.
- What the suspect's role is in the relationship. Looking after the partner, being a saviour or adviser to the exclusion of more equal roles could indicate controlling or coercive behaviour is present.
- How the incident stopped. For example, an answer indicating fear of the consequences if they carried on – such as strangling, smothering, drowning or assaulting a pregnant woman – could demonstrate an understanding of the impact of their violence.
- Their feelings before, during and after the violence. This could encourage them to voice, for example, anger or despair. It could also assist with identifying their intentions following release for the purposes of risk assessment.

Interviewers should be mindful that a controlling or coercive perpetrator may also try to manipulate them or seek their collusion in the controlling behaviour.

For further information, go to:

- [Controlling or coercive behaviour](#)

Preparing for CPS referral

Preparing information for the CPS

The police should provide a complete and accurate case file containing all relevant information to enable the CPS to make informed charging decisions. This also supports applications for remand, bail and victim safeguarding measures.

For further information, go to:

- [Checklist: File preparation](#)

Officers should inform the CPS of evidence that may not be readily available and its status. For example, forensic samples may be subject to delays.

The investigating officers should flag material that should not be disclosed.

For further information, go to:

- [CPS legal guidance on prosecuting cases of domestic abuse](#)

In addition to the standard file preparation requirements, officers should gather and present evidence that demonstrates a pattern of control or coercion. This includes evidence from multiple sources reflecting the day-to-day dynamics between the suspect and victim.

For further information, go to:

- [Checklist: Additional evidence to support the specific offence controlling or coercive behaviour](#)

Evidence-led prosecution

Evidence-led prosecutions are cases where the police and CPS proceed without requiring the victim to give live evidence in court. These cases recognise that many victims of domestic abuse are unable or unwilling to participate in the criminal justice process due to fear, coercion or dependency on the perpetrator. There are three main types of evidence-led prosecution:

- those based on hearsay evidence
- those featuring a hostile victim
- those based on circumstantial evidence

Officers should adopt a tailored investigative approach to ensure that the strongest possible case is built.

For further information, go to:

- [Checklist: Evidence-led prosecution](#)

Prosecutions based on hearsay evidence

Statements that are not given as oral evidence in court may be admissible under the [Criminal Justice Act 2003 \(Part 11, Chapter 2\)](#). Officers should understand the circumstances in which hearsay evidence can be relied upon and ensure that admissibility conditions are met.

When building a case based on hearsay evidence, officers should adopt the following approach.

Has the victim given an account?

The preferred option is a formal written statement under [section 9 of the Criminal Justice Act 1967](#), but other recorded accounts may be admissible, including:

- a note in an officer's pocket notebook
- a verbal account captured on a 999 call
- a verbal account recorded on BWV

Is the victim unable to give live evidence under [s.116\(2\) CJA 2003](#)?

Officers should identify and evidence the reason, which may include:

Reason	Possible evidence
The victim has died - section 116(2)(a) of the CJA 2003	Death certificate. Statement of emergency personnel who attended the body.

Reason	Possible evidence
<p>The victim is unfit to give evidence due to their physical or mental condition -CJA 2003</p>	<p>Statements or reports from medical professionals with first-hand knowledge of the witness's unfitness and who are able to give a firm conclusion. Where mental state has deteriorated since giving the original statement, evidence should be sought from a mental health professional who can comment on fitness at the time the statement was taken. The investigating officer should also evidence any enquiries made into whether special measures could enable the victim to give evidence – for example, video link.</p>
<p>The victim lives outside the United Kingdom and it is not practicable to secure their participation in a trial -section 116(2)(c) of the CJA 2003</p>	<p>Evidence of enquiries made to secure participation in a trial, such as:</p> <ul style="list-style-type: none"> • cost of flights • cost and viability of a video link for the witness
<p>The victim cannot be traced by the police - section 116(2)(d) of the CJA 2003</p>	<p>Section 9 statement from the investigating officer detailing all 'reasonably practicable' steps they have taken to trace the victim and the outcome, along with any associated exhibits.</p>

Reason	Possible evidence
<p>The victim is in fear -section 116(2)(e) of the CJA 2003</p>	<p>Fear is widely construed by the courts and can include fear of death or injury to another person and even fear of financial loss. However, it cannot relate to the general unpleasantness of giving evidence in court.</p> <p>Possible forms of evidence include:</p> <ul style="list-style-type: none"> • a section 9 statement from the victim setting out their fears • attending officers recording relevant comments or behaviour at the scene in a pocket notebook • body-worn video footage showing victim's fearful demeanour • statements of third parties with direct knowledge of the victim's fears – for example, friends, parents, neighbours or support workers • bad character evidence that might reveal a significant background of domestic violence • Officers should seek to provide evidence of continuing fear through updates on the existence of fear as the trial approaches. • They should also evidence that special measures will not adequately address the victim's fears.

Reason	Possible evidence
<p>The victim is in fear - section 116(2)(e) of the CJA 2003</p>	<p>Fear is widely construed by the courts and can include fear of death or injury to another person and even fear of financial loss. However, it cannot relate to the general unpleasantness of giving evidence in court.</p> <p>Possible forms of evidence include:</p> <ul style="list-style-type: none"> • a section 9 statement from the victim setting out their fears • attending officers recording relevant comments or behaviour at the scene in a pocket notebook • body-worn video footage showing victim's fearful demeanour • statements of third parties with direct knowledge of the victim's fears – for example, friends, parents, neighbours or support workers • bad character evidence that might reveal a significant background of domestic violence <p>Officers should seek to provide evidence of continuing fear through updates on the existence of fear as the trial approaches.</p> <p>They should also evidence that special measures will not adequately address the victim's fears.</p>

Comments by child witnesses

Remarks recorded in notebooks, statements or BWV may be admissible as res gestae or under CJA section 114(1)(d) of the CJA 2003 where it is in the interests of justice.

Credibility and corroboration

The investigating officer should identify all material affecting the credibility of an absent witness and provide corroborative evidence supporting their account, forwarding all to the CPS.

For further information, go to:

- Res gestae

Prosecutions involving a hostile victim

A hostile victim is one who provides false or conflicting information in order to disrupt the prosecution. This may occur through retraction statements, false denials or changes of account at court.

Where there are reasonable grounds to believe the initial account is true and the later retraction is motivated by fear, pressure or manipulation, officers should:

- identify all evidence corroborating the original allegation (injuries, third-party statements, BWV footage)
- identify all evidence rebutting the later false account (for example, evidence that the victim was sober or uninjured at the time)
- record any indication that the victim has been threatened or intimidated, as this may constitute a separate offence

Witness summons with power of arrest should only be used as a last resort, and only where the case is serious and continuing with the prosecution is in the public interest.

Investigating officers should ensure that the CPS is provided with all relevant information about:

- the history and seriousness of abuse
- the presence and age of any children
- current injuries or risk factors
- the likely consequences of discontinuing prosecution

Further information on victim and witness evidence handling can be found in [CPS domestic abuse guidance](#).

Prosecutions based on circumstantial evidence

A circumstantial case relies on indirect evidence that, when taken together, points to the suspect having committed the offence. Such cases can succeed when the combined evidence leaves no credible alternative explanation.

Officers should consider all available evidence, including:

- observations of neighbours or bystanders
- body-worn video footage
- medical evidence of injury consistent with assault
- forensic evidence linking the suspect to the scene
- the suspect's own inconsistencies or implausible explanations

Charging

Under the [CPS director's guidance on charging \(6th edition\)](#), all domestic abuse cases must be charged by the CPS, except in very limited circumstances (for example, expiry of the PACE clock where the conditions for doing so are met).

Officers should be aware of [CPS domestic abuse guidance](#) and [Code for Crown Prosecutors](#). These set out the principles for prosecution decisions and provide detail on evidential and public interest considerations specific to domestic abuse.

Police officers should be aware of the [CPS domestic abuse legal guidance](#) and the [Joint NPCC and CPS evidence gathering checklist for use by police forces and CPS in cases of domestic abuse](#).

Police officers should refer all cases that either meet the evidential part of the [Full Code Test](#) or are capable of meeting it (where the [Threshold Test applies](#)). In these cases, the decision to prosecute must be made by a CPS prosecutor, not the police.

For further information, go to:

- [Directors guidance](#)

Where uncertainty exists, officers should consult with the CPS. Early investigative advice is important in cases where the victim may not support a prosecution, and an evidence-led approach is required.

For further information, go to:

- [APP on charging process](#)

Charging standards

The police and CPS have agreed standards for certain offence types, including assaults, to assist in selecting the most appropriate charge based on provable facts.

The offence for which a suspect is arrested may differ from that which is ultimately charged.

For further information, go to:

- [Appendix A](#)

Custody officers and investigating officers should liaise with the CPS to seek advice on the sufficiency and type of evidence required, and to confirm the most appropriate charge (or charges).

Officers should record CPS advice in the prosecution file. Investigating officers should liaise with domestic abuse specialists to ensure completeness and accuracy.

Alternatives to prosecution

Domestic abuse cases require a strong presumption in favour of charge and prosecution. Officers should only consider alternatives to prosecution in rare and exceptional circumstances, and only where the evidential and public interest tests have been fully applied. Domestic abuse offences involve a breach of trust and often form part of a continuing pattern of coercive or controlling behaviour. As such, charge remains the preferred option.

Officers should refer to [CPS guidance on out for court resolutions](#) and force policy before considering any alternative outcome.

Cautions

Cautions are rarely appropriate in domestic abuse cases. If there is sufficient evidence to issue a caution, there is usually sufficient evidence to charge. A caution should only be considered when all the following apply:

- the [Full Code Test](#) is met
- the offence is minor
- prosecution is clearly not in the public interest

There may be public interest or other reasons for not proceeding with a prosecution in a particular case. In those cases, a caution may be considered as an alternative to no further action (NFA).

Before administering a caution, officers and supervisors should ensure that:

- there is evidence of this being a first offence
- there is no record or intelligence of previous domestic abuse involving the same or former partners or family members
- the offence is minor in nature, with limited harm cause
- the offender has no relevant history of violence or similar behaviour
- the investigation has been reviewed and there are no further lines of enquiry
- all alternative criminal justice options have been considered and ruled out
- the victim's views have been sought and recorded, in accordance with the [Victims' Code](#)

Cautions should not be used as an easier option in place of sufficient case building. Supervisors should review and authorise all cautions issued in domestic abuse cases.

For further information, go to:

- [CPS legal guidance on cautioning and diversion](#)
- [CPS guidance on domestic abuse](#)
- [APP on justice outcomes](#)

Simple cautions

Officers should only consider a [simple caution](#) where:

- cases are rare and low-level
- the victim does not support prosecution
- the offence is minor
- there is clear evidence of a single isolated incident
- the evidential stage of the [Full Code Test](#) is satisfied

Where a [positive action](#) approach has been followed and prosecution is not viable, a simple caution may be preferable to taking no further action.

Conditional cautions

[Conditional cautions](#) are not normally appropriate for domestic abuse cases involving intimate partners, given the ongoing risk and repetitive nature of the abuse. Exceptionally, they may be considered where there is no evidence of coercion, control or repeat behaviour, and the circumstances are isolated and minor.

All cases proposed for a conditional caution must be referred to a CPS prosecutor, unless the police force has obtained a specific exemption from the Director of Public Prosecutions.

For further information, go to:

- [CPS legal guidance on cautioning and diversion](#)
- [Ministry of Justice Code of Practice for Adult Conditional Cautions](#)

Youth cautions and youth conditional cautions

Officers should ensure that consideration is given to the criminalisation of children. Careful enquiry should be made regarding motive, intent and risk. Encounters with child suspects of domestic abuse should be seen as an opportunity for support, behaviour change and diversion away from the CJS.

[Youth cautions](#) and [youth conditional cautions](#) may be considered under the same strict conditions as above, subject to the gravity of the offence.

A youth caution can be issued without CPS consultation unless the offence would be indictable only for an adult.

A youth conditional caution may be considered for offences scoring no more than 3 on the gravity matrix, but never for domestic abuse offences scoring 4 or higher. Officers should consult the Youth Offending Service before any decision is made.

When considering youth conditional cautions, officers should assess whether:

- conditions can effectively support reparation, rehabilitation or punishment, considering appropriate outcomes for the victim, community and offender
- the young person accepts responsibility and will comply with conditions

For further information, go to:

- [CPS Director's Guidance on Youth Conditional Cautions](#)
- [Ministry of Justice How to Use Out of Court Disposals](#)

Restorative justice and community resolution

Restorative justice (RJ) and community resolution are not recommended in domestic abuse cases and should never be used for intimate partner abuse. Domestic abuse carries high risks of re-victimisation and escalation. Any officer considering the use of RJ in a domestic abuse case must take advice from supervisors and other agency experts.

Under **The Victims' Code**, victims are entitled to receive information about RJ services. Where a victim of domestic abuse request RJ, officers should ensure that the request is carefully considered and ensure that any request for RJ is free from coercion. If there is any indication that a victim's request is made under pressure or to appease the perpetrator, RJ must not proceed.

If RJ is used in exceptional cases, contact with the victim after completion should be used to reassess risk and ensure their continued safety. Forces should maintain a clear local policy on RJ use in domestic abuse cases.

Penalty notice for disorder

Penalty notices for disorder are never appropriate for domestic abuse cases. This applies to both the domestic abuse offence itself and any associated conduct arising from the incident.

For further information, go to:

- [Penalty notices for disorder](#)

Making bail decisions

When determining bail conditions, the primary consideration for officers should be the safety and protection of the victim, any children and the suspect.

Officers should review [risk assessments](#) thoroughly at each stage of the bail process to ensure that decisions remain proportionate and informed.

Bail – Pre-charge and post-charge

Where there is insufficient evidence to charge, suspects may be released under [section 37\(2\) of PACE](#) to allow further investigation. Investigative bail under this provision should last no longer than is reasonably required, and typically no more than three weeks, unless a longer period is justified. For example, this may be while awaiting forensic results.

Bail may also be granted either:

- under [section 37\(7\)\(a\) of PACE](#) to allow for CPS referral
- under [section 38 of PACE](#) to require attendance at court following charge

The period of bail should be no longer than necessary to complete required actions and submit report.

For further information, go to:

- [CPS legal guidance on bail](#)

Pre-charge bail – Conditions or no conditions?

Under [section 47\(1A\) of PACE](#), custody officers have the power to impose bail conditions where a person is released on pre-charge bail under [section 37\(2\)](#) (insufficient evidence but further investigation required) or [section 37\(7\)](#) (sufficient evidence but referred to CPS for charging decision) of PACE.

Under [section 3\(6\) of the Bail Act 1976](#), 'normal powers' mean that conditions can be imposed if the custody officer considers them necessary to prevent the person from:

- failing to surrender
- committing an offence while on bail
- interfering with witness or otherwise obstructing the course of justice

Officers should consult the victim before determining bail conditions. Custody officers should refer to [victim statements](#), interview records and any victim personal statements to inform decisions.

Officers should ensure that bail conditions:

- prioritise the safety of victims, children and witnesses
- are compatible with existing court orders
- are lawful, necessary and capable of being monitored for compliance

Officers should record bail decisions and the rationale for them.

Officers should consider common protective bail conditions, which may include:

- no contact with the victim (directly or indirectly)
- restrictions on visiting certain locations (home, street, workplace, schools or other regular places)
- requirement to live and sleep at a specified address (never the victim's)
- reporting to a police station at set times
- compliance with a doorstep or tagged curfew

No contact means no contact

Officers should inform suspects that 'no contact' includes any form of communication, whether direct, digital or via third parties.

This includes calls, texts, social media messages, cards, gifts or indirect contact through friends, family or children. Any such contact may constitute a breach of bail and potentially witness intimidation.

Upon charge, if the defendant is not remanded to custody officers should impose bail conditions appropriate to the circumstances. If the defendant is bailed to court without conditions, magistrates are unlikely to impose new restrictions at the first hearing, even where the CPS applies for conditions. It is therefore critical to ensure conditions are set and justified from the outset.

Pre-release conditions

Custody officers should undertake a series of protective and procedural checks before any suspect is released from custody.

For further information, go to:

- [Checklist: Pre-release considerations](#)

Remand in custody

If, following assessment, the custody sergeant decides to remand a defendant in custody after charge, the investigating officer should:

- notify the victim of the remand decision and provide updates following any court hearing concerning bail
- review the risk assessment if the defendant is granted bail by the court
- provide the CPS with all relevant information for the bail application
- ensure that the remand file is complete and accurate, including:
 - previous convictions
 - history of callouts
 - bail breaches
 - risk assessments

The investigating officer should gather and include the following:

- PNC print
- PNC 2 (offence details) print – essential where there are previous domestic abuse convictions or cautions
- chronology of callouts and previous incidents
- existing current bail conditions, court orders, suspended sentences or licence conditions (a copy of any current order or licence should be included in the file)
- details of any known previous breaches of bail, court orders, suspended sentences or licence conditions
- copies of risk assessments
- details of any children involved
- colour photos of injuries
- victim's current views and any threats made by the offender

- information on any alternative addresses that the defendant may propose as a bail address
- officer's assessment regarding a potential appeal under the [Bail \(Amendment\) Act 1993](#).

For further information, go to:

- [Crown Prosecution Service legal guidance on bail](#)
- [Pre-charge bail – Statutory guidance 2023](#)

Where there is a risk of intimidation or attempted contact with the victim or witnesses following remand, the investigating officer should:

- complete the MG6 background information form for prison staff, listing those who should not be contacted
- liaise with prison staff responsible for monitoring communications to secure any evidence of prohibited contact, as this may constitute further offences

If the remanded individual is on licence, the investigating officer should liaise with probation services to ensure recall is considered.

Court proceedings

An officer familiar with the case should attend court to support the prosecutor with current information and updates.

Post-release management

Assisting with the recovery of property

Following an arrest or court order, officers may be required to assist with the exchange or recovery of property from a residence. This may also be necessary to prevent a breach of the peace.

Officers should only assist where they are satisfied that the process does not breach bail conditions or place the victim at risk.

Suspect requests for property recovery

Officers should ask the suspect to provide a written list of the items they wish to collect, when they request the recovery of property. This list should be verified with the victim to confirm agreement.

Officers should not facilitate the removal of jointly owned property or items beyond that which is essential for immediate needs. Only property reasonably required for short-term use should be authorised for removal.

The victim should not be required to be present during the recovery. Officers should not allow the suspect to make direct or telephone contact with the victim to arrange collection. All communication and arrangements should be handled directly by the police.

Where appropriate, the victim may prepare items in advance or appoint a trusted third party to hand over property safely. Officers should ensure that the suspect does not use the recovery process to exert control or coercion over the victim.

Proactive policing of breaches

All bail conditions and protective orders (including [DVPNs, DVPOs, non-molestation orders](#), and restraining orders) must be actively enforced. Breaches of orders are offences in their own right and, if they apply alongside bail conditions which are breached, officers should check whether new offences have been committed. Breaches of bail conditions may also be used to build or add to existing harassment charges if properly documented. When recording a breach, officers should also consider whether the behaviour constitutes or contributes to an ongoing pattern of abuse, such as coercive and controlling behaviour. Officers should ensure that such offences are recorded in addition to the breach itself.

Officers should also consider breaches of suspended sentences or licence conditions, which can occur through non-compliance or further offending. Where a suspect on licence commits a domestic abuse-related offence, the investigating officer should notify probation services immediately to allow recall to be considered.

Breach of pre-charge bail conditions

Under [section 46A\(1A\) of PACE](#), police can arrest a person they have reasonable grounds to suspect has breached pre-charge bail conditions. For further information go to [pre-charge bail statutory guidance](#).

Where a suspect is charged and remanded to appear before a magistrates' court for committing an additional substantive offence arising from the breach of pre charge bail conditions, officers should

provide details of any breach to the prosecutor to support an application for remand in custody.

Officers should also consider additional actions, such as applying for a DVPN or DVPO or investigating any further offences arising from the breach.

Breach of post-charge bail conditions

If a person is suspected of breaching post-charge bail conditions, whether imposed by police or the court, they should be arrested and brought before a court within 24 hours (excluding Sundays and bank holidays).

Although there is no prescribed file format for bail breaches, officers should provide sufficient information for the court to assess whether the conditions were breached. This will usually include a victim statement and any corroborative evidence, such as officer statements, CCTV or digital communications. Live evidence from officers can be persuasive, especially where a breach is denied.

The court may remand the defendant in custody or release them on bail with the same or varied conditions, if it considers that the defendant would fail to surrender to custody or is likely to breach their bail conditions. If the court does not hold that opinion, the defendant should be released on the same conditions. Officers should ensure that:

- all relevant information accompanies the file
- the victim's current views and safety concerns are updated
- any changes to bail conditions are updated on the PNC and shared with relevant teams (intelligence, neighbourhood, specialist units)

A breach of bail remains serious in all circumstances, even where the victim appears to have initiated or accepted contact. Officers should remember that responsibility for compliance lies solely with the defendant. Any breach indicates disregard for protective measures and court authority.

Decisions to arrest or pursue breach proceedings rest with the police and CPS, not the victim.

Within 24 hours

Officers should be aware that once a defendant has been arrested for breach of bail, the defendant must be brought before a court and the breach proceedings dealt with within 24 hours (not counting Sundays, bank holidays or Christmas Day). If this does not happen, the defendant must be

released on the same conditions as before.

For further information, go to:

- [CPS legal guidance on bail](#)

Applications to vary bail

Where the defence applies to vary bail conditions, officers should respond promptly to CPS requests for views. Applications are often listed within 48 hours of notice, so timely input is essential.

The investigating officer should:

- contact the victim for an updated account of risk, any recent contact or changes in relationship status
- conduct intelligence checks on any new addresses or proposed changes
- provide a concise professional view based on their knowledge of the case and safeguarding needs

If no police response is provided, the court may rely solely on the defence's submission, which risks inaccurate or incomplete information influencing the decision.

Any variation granted by the court should be updated on the PNC immediately. It must also be disseminated to intelligence units, neighbourhood teams and specialist units to ensure accurate enforcement and to avoid wrongful arrest.

Tags

APP Domestic abuse